

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1 and 3-6 are pending in the present application. Claim 2 has been cancelled. Claim 1 has been amended to recite a part made of thermoplastic material, wherein the material substantially comprises by weight:

49% to 63.5% recycled polyethylene terephthalate;

27% to 36% recycled high-density polyethylene;

4% to 6% of a compatibility agent; and

5% to 10% of a re-enforcing filler.

In the outstanding official action, claims 1 to 6 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over NOSKER et al. in view of Taniguchi et al. This rejection is respectfully traversed.

Applicants believe that the proposed combination of NOSKER et al. in view of Taniguchi et al fails to disclose or suggest the claimed invention. NOSKER et al. disclose a method for recycling mixed post-consumer plastic waste by producing a blow-multiple material. The material essentially comprised polyolefins. In order to obtain this material, NOSKER et al start by removing the majority of PET from the waste material (column 3, lines 1-15). While a minor amount of PET may be

present in the material, the material is predominantly made up of polyolefins (column 3, lines 33-34).

Indeed, NOSKER et al. teach that using larger amounts of non-polyolefin components such as PET adversely affects the quality of the end product (column 4, line 64-column 5, line 14). As a result, Applicants believe that NOSKER et al. teaches away from the claimed invention which recites that the material substantially comprises 49% to 63.5% by weight of reduced polyethylene terephthalate.

Moreover, Applicants believe that the teachings of NOSKER et al. stand in contrast to the teachings of TANIGUCHI et al. TANIGUCHI et al. disclose a resin comprising:

80 to 40 parts by weight of PET;
20 to 60 parts by weight of PBT; and
a polymer (α -olefin) copolymer.

Thus, when considering that TANIGUCHI et al. disclose a resin composition with such high amounts of PET, Applicants believe that NOSKER et al. teaches away from TANAGUCHI et al.

Moreover, Applicants note that in the TANAGUCHI et al. publication, TANAGUCHI et al. mentioned the following poly(α -olefin) copolymers: ethylene-methacrylic acid, ethylene-acrylic acid-ethyl acrylate and ethylene-acrylic acid. These poly(α -olefin) copolymers are distinct from high density polyethylene. Moreover, upon considering the weight compositions of PET and PBT

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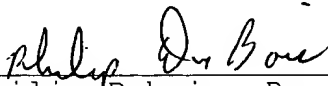
taught by TANAGUCHI et al., the weight composition of the poly(α -olefin) copolymer must be distinct from the claimed range of high density polyethylene of the present invention. Thus, even if one of ordinary skill in the art were to combine the two publications, one skilled in the art would still not obtain the claimed invention.

As a result, it is believed that this proposed combination of NOSKER et al. in view of TANAGUCHI et al. fails to render obvious the claimed invention.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application is now in condition for allowance with claims 1 and 3-6, as presented. Allowance and passage to issue on that basis are accordingly respectfully requested.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- a new or amended Abstract of the Disclosure